

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

FREDERIC CHARDON DUBOS,	*	CIVIL NO.
	*	
Plaintiff,	*	PLAINTIFF DEMANDS TRIAL
	*	BY JURY
V.	*	
	*	
JOSEPH ROBINETTE BIDEN JR.,	*	
in his Official and	*	
Individual Capacities,	*	
UNITED STATES OF AMERICA,	*	
	*	
Defendants.	*	
	*	

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**COMPLAINT**

TO THE HONORABLE COURT

NOW COMES, Plaintiff, Frederic Chardon Dubos, ("Chardon"), Pro-Se, and pursuant to F.R.Civ.P. 7, 8 and 9, and for a cause of action brings this Complaint and respectfully states as follows:

**I. Jurisdiction**

1. This Honorable Court has original federal jurisdiction over this action under 28 U.S.C. §1331, since this civil action arises under Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971), Article I, Section 8, Clause 5, Article II, Section 1, Clause 1, Article II, Section 1, Clause 8, and the First Amendment of the United States of America Constitution, and plaintiff seeks to recover compensatory and punitive damages.

2. Plaintiff seeks monetary recovery for damages caused to

him by Biden's unconstitutional actions and their progeny both in the face and in the application violating Chardon's Constitutionally and federally protected rights, attorneys fees if and when one is hired, pre and post judgment interest, and costs.

3. This Honorable Court has supplemental jurisdiction of the claims arising under the laws of the Commonwealth of Puerto Rico pursuant to 28 U.S.C. §1367 and the doctrine of pendent jurisdiction.

4. There exists between the parties, an actual controversy, justiciable in nature, which arises under the Constitution and laws of the United States of America, and of the Commonwealth of Puerto Rico with respect to which Chardon seeks relief from this Honorable Court.

## **II. Venue**

5. Venue is proper within this district since Plaintiff resides in this district, 28 U.S.C. §1391(e)(1)(C).

## **III. Parties**

### **a. Plaintiff**

6. Plaintiff Chardon at all times relevant to this Complaint was and is a United States of America citizen residing at the following address, Urbanización Valle Arriba Heights, BD13 Calle Naranjo, Carolina, Puerto Rico, 00983-3334, telephone number

(787) 908-2476, postal address, P.O. Bx 1797, Carolina, Puerto Rico, 00984-1797, email [fcdlaw2020@gmail.com](mailto:fcdlaw2020@gmail.com).

**b. Defendants**

7. Defendant, Joseph Robinette Biden Jr., ("Biden") is the President of the United States of America whose physical and postal address is The White House, 1600 Pennsylvania Avenue, N.W., Washington, District of Columbia, 20500, Switchboard Phone number 202-456-1414 and email [president@whitehouse.gov](mailto:president@whitehouse.gov), and is a federal official or actor brought to this case in his Official and Individual Capacities and was at all times relevant to this Complaint a federal official acting under color of the Constitution, statute, ordinance, regulation, custom, or usage, who may be served with summons pursuant to F.R.Civ.P. 4.(e), 4.(f), 4.(g) or 4.(I), Federal Rule of Civil Procedure 4(i)(1), service to be made upon the United States Attorney's Office, Torre Chardon, Suite 1201, 350 Carlos Chardon Ave., San Juan, Puerto Rico 00918, and a CM/ECF Notice of Electronic Filing upon the Attorney General of the United States of America.

8. Defendant, United States of America ("USA") is made a party to this complaint since Biden is also being brought as a defendant in his Individual capacity and that may be served with summons to be made upon the United States Attorney's Office, Torre Chardon, Suite 1201, 350 Carlos Chardon Ave., San Juan,

Puerto Rico, 00918, and a CM/ECF Notice of Electronic Filing upon the Attorney General of the United States of America.

### **III. Facts**

9. On March 9, 2022 Biden signed Executive Order 14067 ("EO") titled Executive Order on Ensuring Responsible Development of Digital Assets with the goal of establishing a United States of America Central Bank Digital Currency ("CBDC").

10. The EO unconstitutionally infringed on Congresses' power "To coin Money, regulate the Value thereof", Article I, Section 8, Clause 5, of the United States of America Constitution.

11. To date no prior federal laws promulgated by Congress were enacted authorizing Biden to issue the EO.

12. There is no enabling legislation.

13. That makes the EO an unconstitutional use of the Presidential executive constitutional power.

14. Biden unconstitutionally violated the separation of powers doctrine with the EO.

15. Biden's reasons to issue the EO are purely pretextual.

16. For these reasons Biden has intentionally violated his Constitutional Oath as a sitting President.

17. On March 15, 2023 the Board of Governors of the Federal Reserve System ("Fed") issued a Press Release titled "Federal Reserve announces July launch for the FedNow Service" ("FedNow").

18. FedNow is in furtherance of the EO to develop a United States of America CBDC.

19. The Fed announced the creation of a national instant payment digital system and service to be called FedNow.

20. FedNow is almost an exact copy of Puerto Rico's instant payment system known as "ATH Móvil" which means "A Toda Hora Móvil" or at all hours mobile owned by Evertec Group, LLC, Register Number 3778, Puerto Rico Department of State, Registry of Corporations and Entities.

21. So far the "ATH Móvil" only works through an internet connected smart phone app but has the majority of the Island's banks' and credit unions' consumers and businesses interconnected through this instant payment system.

22. Upon information Chardon believes is true the FedNow instant payment system is laying the groundwork for a United States of America CBDC.

23. The EO at Section 8.(b)(ii) requires that one (1) year after the establishment of the EO Section 8.(b)(i) framework certain agencies which include the Fed shall submit a report to Biden "on **priority actions** taken under the framework and its effectiveness".

24. The EO Section 8.(b)(i) framework had to be established one hundred twenty days (120) from the date of the EO.

25. When these time periods are calculated they show that the **priority actions** report deadline is Friday July 7, 2023.

26. Upon this information which Chardon believes to be true the announced FedNow launch coincides with the **priority actions** deadline since that phrase is only used once in the document at EO Section 8.(b)(ii).

27. CBDC is a form of fiat currency to be issued and regulated by a central bank in this case the Fed.

28. Although the official specifications of the technology involved with the CBDC have not been made public upon information which Chardon believes to be true the same will incorporate technology that will make it programable giving the Fed the ability to turn off or on the CBDC for specific transactions.

29. The EO at Section 5.(b)(ii) mentions the emerging use of quantum computing which along with Artificial Intelligence ("AI") would make the programmability of CBDC very real.

30. Upon information that Chardon believes to be true and the EO law enforcement surveillance requirements the Fed will be able to surveil all FedNow transactions raising a financial privacy and anonymity issue for its consumer users.

31. Upon information which Chardon believes to be true CBDC's are the ultimate tool of control, censorship and surveillance.

32. Upon information Chardon believes to be true it would cause the China experience with that technology repeatable in the United States of America.

33. This concern is not only of Chardon, on March 20, 2023 Market Insider reported news with the following headline "Florida Governor Ron DeSantis proposes banning a digital currency from the Fed, arguing it will stifle innovation and promote surveillance",  
<https://markets.businessinsider.com/news/currencies/ron-desantis-ban-fed-digital-currency-surveillance-fears-cbdc-crypto-2023-3?fbclid=IwAR2RbqbgmSE5gxAwQxc5oLv0elvr2S10tBYrxfg-5t6WJ-RUbH2X0kQGt4c>.

34. One example in mainstream news regarding Iran's recent launch of CBDC attempting to use it to freeze bank accounts of women protesting the obligatory use of a Hijab.

35. Also Nigeria's civil unrest from the unavailability of paper cash notes causing police intervention and long lines at banks.

36. Pursuant to the EO United States of America CBDC is poised to replace in the very near future paper notes and metallic coins.

37. Upon information that Chardon believes to be true the FedNow instant payment system July, 2023 launch date

coincidentally coincides with the EO Section 8.(b)(ii) Friday July 7, 2023 **priority actions** report.

38. Not only could the FedNow instant payment system be launched but simultaneously start the transition to the CBDC USA Dollar.

39. Upon information which Chardon believes to be true the unconstitutional actions of Biden have seeped into the Fed making them seem to think they are immune from Congressional oversight since in the midst of the current banking crisis they borrowed from Treasury \$184 Billion without Congressional authorization circumventing the debt ceiling to fund the FDIC's bailout of Silicon Valley Bank ("SVB") and Signature Bank.

37. These illegal actions by the Fed put the nation's finances at risk and with the rollout of CBDC would allow the Fed to perform these illegal actions in the blink of an eye which by the time they were detected would probably be too late to repair the harm done.

#### **IV. First Cause of Action**

**Unconstitutional violation on its face of  
Article II, Section 1, Clause 1, and  
Article II, Section 1, Clause 8,  
of the United States of America Constitution**

40. Chardon hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.



41. Article II, Section 1, Clause 1, of the United States of America Constitution states as follows:

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

42. Article II, Section 1, Clause 8, of the United States of America Constitution states as follows:

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:— I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.

43. Although not expressly written into the Constitution it's fair to say the office of the President is authorized to issue executive orders.

44. However according to the Oath the Office of the President it has to "preserve, protect and defend the Constitution of the United States."

45. For all the above stated reasons Biden has failed to keep his Constitutional Oath made to the people of the United

States of America.

#### **V. Second Cause of Action**

##### **Unconstitutional violation on its face of Article I, Section 8, Clause 5, of the United States of America Constitution**

46. Chardon hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

47. Article I, Section 8, Clause 5, of the United States of America Constitution states as follows:

[The Congress shall have Power . . . ] To coin Money,  
regulate the Value thereof, and of foreign Coin, and fix  
the Standard of Weights and Measures; . . .

48. The Fed's illegal actions seen in the light of Biden's unconstitutional EO circumventing the debt ceiling and authorization by Congress is the best example of the most real consequences of a Fed controlled CBDC.

49. Under the circumstances Biden's EO is clearly unconstitutionally circumventing Congresses' power to coin money.

50. Which is also in violation of the separation of powers doctrine.

#### **VI. Third Cause of Action**

##### **Unconstitutional violation on its application of First Amendment, of the United States of America Constitution**

51. Chardon hereby incorporates by reference all other

paragraphs of this Complaint as if fully set forth herein.

52. The First Amendment, of the United States of America Constitution states as follows:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

53. Biden's EO is the De Facto equivalent of a congressional legislative action and subsequent Presidential signature.

54. Deployment of the United States of America CBDC and its application without previous Congressional oversight will violate Chardon's Constitutionally and Federally protected First Amendment rights.

55. CBDC's are the ultimate tool of control, censorship and surveillance.

## **VII. Fourth Cause of Action**

### **Puerto Rico State Law Claim for Damages**

56. Chardon hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

57. Pursuant to Article 1815, Puerto Rico Civil Code, 2020, Chardon is entitled to recover all the damages alleged in this Complaint, as allowed by state law.

#### **VIII. Trial by Jury**

58. Chardon notifies this court of his demand of a jury trial for all issues raised by the complaint triable by a jury. Seventh Amendment to the Constitution, F.R.Civ.P. 38.(a), (b) and (c).

#### **IX. Attorneys' Fees**

59. Chardon is entitled to the costs and reasonable attorneys' fees incurred in the above captioned case if and when one is hired.

#### **X. Certification and Closing**

60. Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a non frivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically, so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

WHEREFORE, Pro Se party, Plaintiff Chardon respectfully requests that judgment be entered against Biden overturning

Executive Order 14067 as beyond the President's constitutional authority and awarding Chardon in all causes of action stated in this complaint the amount of five million dollars (USD\$5,000,000.00) as compensatory and punitive damages, and additionally plus costs, and attorneys' fees if and when one is hired, and pursuant to the doctrine of pendent jurisdiction under the laws of the Commonwealth of Puerto Rico, plus pre and post judgment prevailing legal interest along with such other relief that this court deems just and proper.

Respectfully submitted in Carolina, Puerto Rico, this 22<sup>nd</sup> day of March, 2023.

**FREDERIC CHARDON DUBOS LAW OFFICE**

s/Frederic Chardon Dubos  
Frederic Chardon Dubos  
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Pro Se Plaintiff

**UNSWORN STATEMENT UNDER PENALTY OF PERJURY**

Signed under penalty of perjury in Carolina, Puerto Rico, on March 22, 2023.

s/Frederic Chardon Dubos  
FREDERIC CHARDON DUBOS